

**June 25, 2009**

I particularly want to thank the distinguished chairman of the committee, our friend, Mr. Skelton, for his support of this amendment. It is identical to the amendment passed by the House during consideration of the 2009 Defense Authorization last year with the exception of some changes in the findings which I think strengthen the case for this amendment. A similar intelligence-focused, CIA-focused detainee video recording provision was included in the fiscal year 2010 Intelligence Authorization Act that was voted out of the House Permanent Select Committee on Intelligence last week.

The amendment's purpose is simple. It is to improve the intelligence operations of our Armed Forces by ensuring the video recording of each strategic interrogation of any person who is in the control or detention of the Department of Defense.

Let me be clear: this amendment does not impede combat operations. The bill explicitly states that troops in the field in contact with the enemy shall not be required to videotape or otherwise record tactical questioning.

It does require the Secretary of Defense to promulgate and provide to the Congress guidelines under which video recording of detainees shall be done. It does require that the recordings be properly classified and maintained securely just as any foreign intelligence information should be. It does require that the recordings be maintained for an appropriate length of time. What is the reason for this amendment? Because multiple studies have documented the benefits of video recording or electronically recording interrogations. Law enforcement organizations across the United States routinely use the practice both to protect the person being interrogated and the officer conducting the interrogations. It is the standard of best practice.

Some U.S. attorneys are on record as favoring this requirement for the FBI. And the Customs and Border Patrol does routinely videotape or electronically record key interactions and interrogations with those in their custody. Video recording is the standard within the United States for interrogations of all types in all agencies and for prosecutors.

Well, what about the Department of Defense? Is it appropriate there? Earlier this year a task force convened by Secretary of Defense Gates to review our detainee policies issued its report. This is known as the ``Walsh Report." The report was unequivocal. It said: ``We endorse the use of video recording in all camps and for all interrogations. The use of video recording to confirm humane treatment could be an important enabler for detainee operations. Just as internal controls provide standardization, the use of video recordings provides the capability to monitor performance and to maintain accountability."

But more than this, more than maintaining the standards for behavior in the interrogation room, it strengthens our ability to collect intelligence and understand what's going on. The amendment would strengthen previous laws passed by Congress regarding the treatment of detainees, and it would maximize our intelligence collections from such interrogations.

In fact, the origin of this amendment came from my questioning of interrogators. When I asked how they get maximum information of nuances of language, languages that the interrogators might not have real fluency with. Who reviews the tapes? I said. And they said, There are no tapes. By having tapes, we can get the maximum benefit of the interrogation.

This amendment is endorsed by major human rights organizations. It's been certified by CBO not to result in additional spending. I urge my colleagues to support this amendment.